



10/18/04

41-2643
41

Docket No.: HHI-033US

RECEIVED

OCT 25 2004

Technology Center 2600

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 419931106 US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: October 14, 2004

Signature:

[Signature]
(Sean D. Detweiler)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Hans-Dieter Borowsky *et al.*

Application No.: 09/890,227

Art Unit: 2643

Filed: November 14, 2001

Examiner: D. Harvey

For: AUDITORY TREATMENT DEVICE

AMENDMENT AND RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

This Amendment and Response is being filed responsive to the Office Action of May 14, 2004, the response period of which is extended to October 15, 2004 by the accompanying Request for a Two Month Extension of Time. In view of the comments set forth below, the Applicants contend that the pending claims are patentable and in condition for allowance.

Please amend the claims in the above-identified U.S. patent application as follows to place the application in condition for allowance and, in the alternative, in better condition for appeal: